



GI 5302-CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stephen H. Herrmann *et al.*
Serial No. : 09/175,713
Filed : October 20, 1998
For : CHEMOKINES WITH AMINO-TERMINAL MODIFICATIONS

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

RESPONSE TO NOTICE
TO FILE MISSING PARTS OF APPLICATION

Dear Sir/Madam:

In response to the Notice to File Missing Parts of Application dated December 16, 1998, Applicants state the following:

The above-referenced application is a continuation application of provisional application Serial No. 60/113,672 (converted from USSN 08/955,826), filed October 22, 1997. At the time of filing, Applicants submitted a copy of the Declaration and Power of Attorney filed in the parent application pursuant to 37 CFR 1.63. Accordingly, Applicants do not believe that a new Declaration and Power of Attorney is required.

As indicated in the attached copy of the Notice, the deadline for responding to the Notice is February 16, 1999. A One Month Extension of Time is enclosed resetting the time for response from February 16, 1999 to March 16, 1999.

Since Applicants clearly complied with all the filing requirements for filing a continuation application, **no fee is believed due**. However, in the event that some fee is found to be required, authorization is hereby given to charge the surcharge of \$130 or any other fee that may be due in this regard to Deposit Account No. 07-1060.

Respectfully submitted,

Suzanne A. Sprunger, Ph.D.
Reg. No. 41,323
Attorney of Record

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner For Patents, Washington, D.C. 20231 on March 8, 1999

LEGAL AFFAIRS
GENETICS INSTITUTE, INC.
87 CambridgePark Drive
Cambridge, Massachusetts 02140
Telephone: (617) 665-8284
Facsimile: (617) 876-5851
Dated: March 8, 1999



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/175,713 10/20/98 HERFMANU 9 GI-5302-CON

0242/1216

KAY E BRADY
AMERICAN HOME PRODUCTS CORPORATION
PATENT & TRADEMARK DEPARTMENT 2H
ONE CAMPUS DRIVE
PARSIPPANY NJ 07054

NOT ASSIGNED

DATE MAILED:

1643

12/16/98

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☐ non-small entity is \$ 150.

- ☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. The oath or declaration:

- ☒ is missing or unexecuted.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules" 37 CFR 1.821-1.825.

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/17/99 CUBRICH 0000033 071060 071712
41-EC-105 130-00-51